

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

November 30, 2012

Lyle W. Cayce
Clerk

No. 12-20119

Summary Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee

v.

JOSE FRANCISCO YANEZ AVILA, also known as Francisco Jose Yanez, also known as Jose Francisco Yanez-Avila, also known as Jose A. Yanez, also known as Jose Avila Yanez, also known as Jose Vega, also known as Jose Francisco Yanez, also known as Javier Rodriguez, also known as Jose Francisco Avila, also known as Jose Yanez-Avila, also known as Jose Fransico Yanez,

Defendant-Appellant

Appeal from the United States District Court
for the Southern District of Texas
USDC No. 4:11-CR-543-1

Before JONES, DENNIS, and HAYNES, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Jose Francisco Yanez Avila has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967), and *United States v. Flores*, 632 F.3d 229 (5th Cir. 2011). Yanez Avila has not filed a response. We have reviewed counsel's

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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brief and the relevant portions of the record reflected therein. We concur with counsel's assessment that the appeal presents no nonfrivolous issue for appellate review. Accordingly, counsel's motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5TH CIR. R. 42.2.